

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/800,588

Filing Date: March 8, 2001

First Named Inventor: Giampaolo TOMASI

Group Art Unit: 1771

Examiner: H. Vo

Attorney Docket Number: 06639.0009-00000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] _____.

ii. ☐ Other _____

b. ☒ Enclosed:

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)

b. ☐ Other _____

3. Fees

01/29/2004 MAHHED1 00000118 09800588

a. ☒ The filing fee is calculated as follows:

01 FC:2801

385.00 DP

i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Petition for extension of time for (Two Months) \$210.00 (Small entity)

iii. ☐ Other _____

b. ☒ Check in the amount of \$980.00 enclosed.

c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Deborah M. Sharfman

Reg. No.: 52,211

Signature: *Stephen L. Pitarum* #26,325

Date: January 26, 2004

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: [Date]

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Repln. Ref: 01/29/2004 MAHHED1 0021594900

DPH:0660916 Name/Number:09800588

Signature:

Date:

FC: 9204

\$385.00 CR



PATENT
Customer No. 22,852
Attorney Docket No. 6639.0009-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Giampaolo TOMASI) Group Art Unit: 1771
)
Serial No.: 09/800,588) Examiner: H. Vo
)
Filed: March 8, 2001)
)
For: RIGID POLYURETHANE FOAM)
AND HEAT INSULATING)
CONSTRUCTION ELEMENT)
COMPRISING THE SAME)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.114

Further to the Notice of Appeal filed September 26, 2003, in response to the final Office Action of March 28, 2003, and the Advisory Action dated October 7, 2003, the period for reply having been extended to January 26, 2004, by the accompanying petition for a two-month extension of time and fee, Applicant respectfully requests that this application be amended in the manner set forth below.

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper. This amendment satisfies the requirement for a "Submission" to accompany the Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 filed herewith.

Remarks begin on page 9 of this paper.